

HONORABLE ROBERT S. LASNIK

HUNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ABG-SHARK,
LLC, a Delaware limited liability
company,

Judgment Creditor,

v.

ORGANO GOLD INT'L, INC., a Nevada
corporation,

Judgment Debtor.

No. 2:20-mc-0030 RSL

SECOND DECLARATION OF JAMES M.
SHORE IN SUPPORT OF WRIT OF
EXECUTION

I, James M. Shore, pursuant to 28 U.S.C. §1746, declare the following under penalty of perjury:

1. I am counsel for Judgment Creditor ABG-Shark, LLC in this matter. I make this declaration in support of Judgment Creditor's request for the issuance of a Writ of Execution.

2. Judgment Creditor brings this request pursuant to RCW 6.17.110(3)(a), requesting satisfaction of a money judgment out of whatever personal property Judgment Debtor has at its Ferndale, Washington address. Judgment Creditor is not requesting the delivery of real or personal property, so RCW 6.17.110(3)(c) is inapplicable.

3. Pursuant to the declaration of Judgment Debtor's Senior Vice President of Internal Operations, Norman Perrett, filed in this Court in the action styled *Organo Gold Int'l, Inc. v.*

SECOND DECLARATION OF JAMES M. SHORE IN SUPPORT OF WRIT OF EXECUTION
(2:20-mc-0030 RSL) - 1

1 *Aussie Rules Marine Services, Ltd., et. al.*, Case No. 2:18-cv-00108-JLR, the following personal
 2 property is located at Judgment Debtor's Ferndale, Washington address: "product shipments
 3 from [Judgment Debtor's] suppliers across the globe (China, Malaysia, E.U., USA and Canada).
 4 Those products included the Greg Norman "Brew-Kup," "Espresso" product-lines, and other
 5 branded products ("Branded Products"), as well as associated distributor business-tools (sales
 6 aids) and promotional materials." See Declaration of Norm Perrett, at ¶ 9, attached hereto as
 7 Exhibit A. Pursuant to the declaration of Judgment Debtor's Senior Vice President of Internal
 8 Operations further states that the Ferndale, Washington address also "acts as [Judgment
 9 Debtor's] surrogate headquarters for the U.S." See Exhibit A, at ¶ 10. Judgment Creditor has no
 10 knowledge or information as to the value of the personal property located at Judgment Debtor's
 11 Ferndale, Washington address.

12 4. Judgment Creditor received final judgment in the amount of \$1,800,000.00 on February
 13 4, 2020 in the U.S. Southern District of Florida, civil action number 18-CIV-80758-RAR.

14 5. The judgment bears interest at 6.33 percent per annum, in the amount of \$312.16 per day,
 15 as determined pursuant to 28 U.S.C. §1961. As of the date of this declaration, \$28,718.72 in
 16 interest has accrued on the judgment.

17 6. Judgment Creditor accrued \$11.00 in costs in the U.S. Southern District of Florida for the
 18 certification of the judgment.

19 7. Judgment Creditor accrued \$47.00 in costs in the U.S. Western District of Washington
 20 for the registration of a foreign judgment, docket number 2:20-mc-00025.

21 8. Judgment Creditor accrued \$47.00 in costs in the U.S. Western District of Washington by
 22 filing this action requesting a writ of execution.

23 9. Judgment Creditor accrued \$158.50 in costs for recording the judgment with the
 24 Auditor's Office for Whatcom County, Washington, Auditor File Number 2020-0402275.

25 ///

26 ///

SECOND DECLARATION OF JAMES M. SHORE IN SUPPORT OF WRIT OF EXECUTION
 (2:20-mc-0030 RSL) - 2

10. Judgment Debtor has not made any payments on the judgment, interest, or costs.

DATED: May 6, 2020.

STOEL RIVES LLP

s/James M. Shore

James M. Shore, WSBA No. 941425
jim.shore@stoel.com

STOEL RIVES LLP
600 University Street, Suite 3600
Seattle, WA 98101
Telephone: 206.624.0900
Facsimile: 206.386.7500

Attorneys for Defendant-Judgment Creditor

SECOND DECLARATION OF JAMES M. SHORE IN SUPPORT OF WRIT OF EXECUTION
(2:20-mc-0030 RSL) - 3